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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,799	03/16/2004	Matthew B. MacLaurin	MS306776.01/MSFTP544US	1907
27195 7590 09/28/2007 AMIN. TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			EXAMINER PARKER, BRANDON	
			ART UNIT 2174	PAPER NUMBER
			NOTIFICATION DATE 09/28/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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docket1@thepatentattorneys.com  
hholmes@thepatentattorneys.com  
osteuball@thepatentattorneys.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/801,799	<b>Applicant(s)</b> MACLAURIN ET AL.	
	<b>Examiner</b> Brandon Parker	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

The examiner acknowledges the applicant's submission on 08/20/2007, wherein claim 12 has been cancelled, claims 1, 17, and 22 have been amended and claims 1-11 and 13-23 remain pending in the application. The final rejection has been withdrawn.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Card et al (US Patent No. 7,069,518) ('Card hereinafter) in view of Johnson et al (US Publication 20030132953 hereinafter, "Johnson") in further view of Fredlund et al (US Publication 20030128287 hereinafter, "Fredlund").

**Regarding claim 1**, Card discloses a system for displaying item collection previews (i.e. multiple page viewing/images of a virtual three-dimensional book, Col. 5 lines 60-64, Claim 1 and 19), comprising: and detected user activities (Col. 9 lines 63-66), Card does not explicitly show at least one display object having **metadata tags describing** two or more **data items** in a collection of data items; a control component configured to selectively animate a presentation of the items based in part on the metadata tags and global controls for collecting unrelated items in a set of items to subsequently preview the items. However, Johnson discloses a **metadata tag** associated with each **media**

**file** (i.e. data item) that may contain key text based information useful in performing a specific function or action associated with the media file (Par. 0011 lines 8-11).

Johnson discloses a control that can be manipulated by a user to control the media player and/or initiate media player functions (i.e. control component configured to selectively animate a presentation of the items). Additionally Johnson discloses the media is selected (i.e. a global control) from a group (i.e. collection) comprising mp3, wma, wav, wmv, jpg, and mpeg files (i.e. unrelated items). Card and Johnson do not appear to explicitly show **collecting unrelated items** in a set of items to subsequently **preview** the items. However, Fredlund discloses any sequence of **images** (i.e. a set of items) **unrelated** on the basis of time or location can be combined (i.e. collected) on a Lenticular card wherein the sequence can be selected and **previewed** (Par. 0051 lines 1-6).

It would have been obvious to one skilled in the art at the time of invention to combine the metadata tags as taught by Johnson with the three dimensional book of Card to efficiently manage data while navigating a group of files or items and further combine the unrelated images as taught by Fredlund to the modified Card to effectively and efficiently select and preview a sequence of items on a display.

**Regarding claim 2**, in addition to claim 1, Card discloses a system further comprising one or more controller inputs to control the presentation of the items (Col. 16 lines 18-21, Col. 15 lines 61-64).

**Regarding claim 3**, in addition to claim 2, Card discloses a system wherein the controller inputs include at least one of a mouse cursor control (i.e. cursor moves), a

mouse wheel control, a voice command, an eye-gaze control, and a mechanical control to control the presentation of items (Col. 12 lines 32-42, Col. 15 lines 61-64, Col. 16 lines 34-36).

**Regarding claim 4**, in addition to claim 1, Card discloses a system wherein the collection of data items (i.e. multiple slide out pages) further comprising a top item displayed as a thumbnail preview (440 Fig. 5B Drawing) or an expanded size preview (420 Fig. 5B Drawing), (Col. 8 lines 28-31). **Note:** Card discloses a partial page (i.e. thumbnail) is zoomed (i.e. an expanded size preview) to allow for the user to read the text and causing the top portion of the page to tip toward the user in the display until readable.

**Regarding claim 5**, in addition to claim 1, Card discloses a system further comprising a control to provide a transitional animation (i.e. animating the transition) employed to visually link movement of an axial (i.e. parallel/slider) controller (Col. 6 lines 48-50, Col. 14 lines 8 and 9) with a change in a displayed icon (310 Fig. 3A, 3B Drawing, Col. 6 lines 55-63).

**Regarding claim 6**, in addition to claim 1, Card discloses a system further comprising a currently selected preview image (i.e. selected, page in view) the currently selected preview image integrated with (i.e. relationship) a collection icon as a reminder of collection contents (i.e. content of the book), (Col. 21 lines 61-64).

**Regarding claim 7**, in addition to claim 1, Card discloses a system wherein the control component further comprises at least one of an object locator, a command detector (command, Col. 13 lines 20-23), a content analyzer (Col. 17 lines 1-10), and a formatter

to selectively animate the presentation of the items (Col. 13 lines 49-53, Col. 12 lines 61-65)

**Regarding claim 8**, in addition to claim 1, Card discloses a system further comprising a graphical user interface (Fig.11 Drawing) to selectively animate the presentation of items (Col. 12 lines 61-65).

**Regarding claim 9**, in addition to claim 1, Card discloses a system wherein the graphical user interface further comprising a set of preference controls (i.e. selectively control) configured to change (Col. 12 lines 47-50), by type of item (Col 5. lines 56-62), preview visualizations (Col. 12 lines 29-31) and access (Col. 10 lines 34-36) behaviors associated (i.e. create a customized index) therewith (Card Claim 1).

**Regarding claim 10**, in addition to claim 1, Card discloses a system wherein the items include one or more subcomponents configured to be previewed (i.e. thumbnail Col. 7 line 24); selected (i.e. click on the page, (Col 7 lines 65 and 66), or displayed (Col. 7 lines 14-16).

**Regarding claim 11**, in addition to claim 1, Card discloses a system wherein the items can be previewed in two dimensional (two facing pages) or three-dimensional form (i.e. three-dimensional book),(Col. 6 lines 38-47).

**Regarding claim 13**, in addition to claim 1, Card discloses a system further comprising controls to scale the items to be previewed (Col. 9 lines 49-52,63-66).

**Regarding claim 14**, in addition to claim 1, Card discloses a system, further comprising a control to determine a rough position in a collection of items (Col. 12 lines 19-31).

**Regarding claim 15**, in addition to claim 1, Card discloses a computer readable medium having computer readable instructions stored thereon for implementing at least one of the display object (Card Claim 36) and the control component (Col. 9 line 65).

**Regarding claim 16**, in addition to claim 1, Card discloses a system configured to facilitate information preview from a collection (Col. 5 lines 60-64, Claim 19), comprising: means for displaying a set of information items (i.e. list of items),(Col. 10 lines 7-10); means for selecting the set of information items (Col. 21 lines 61-64); means for detecting a value (1 Fig. 8 Drawing) with respect to the set of information items (i.e. chapter tabs), (Col. 10 lines 57-62); and means for previewing the information items(805 Fig. 8 Drawing) based upon incrementing (i.e. upward) or decrementing (i.e. downward) the value (Col. 10 lines 53-56). Note: Card discloses an "Intrinsic DOI" value which can be based on the nature of the object with a value of -1 and all other objects assigned a degree of interest value of -2 (Col. 9 lines 1-8).

**Regarding claim 22**, Card discloses a graphical user interface, comprising: a display object for displaying a group of pages (Fig. 8 Drawing); a tag (i.e. chapter tab) associated with each member page from the group of pages (i.e. book), (Col. 10 lines 57-59); a cursor to select (i.e. user selectable) the group of pages (i.e. three dimensional book); an axial controller (i.e. slider) to cycle (i.e. navigate) the group of pages, (Col. 10 lines 49-54, Col. 14 lines 8 and 9). Card does not explicitly show a tag associated wit each member page from the group of pages, cycling the group of pages using the **associated tags**, global controls for **accumulating dissimilar items** in a set

of items to later preview the items. Johnson discloses a **metadata tag** associated with each **media file** that may contain key text **based information useful** in performing a specific function or action **associated with the media file**, (Par. 0011 lines 8-11).

Additionally Johnson discloses the media is selected (i.e. a global control) from a group (i.e. collection) comprising mp3, wma, wav, wmv, jpg, and mpeg files (i.e. unrelated items). Card and Johnson do not appear to explicitly show **collecting unrelated items** in a set of items to subsequently **preview** the items. However, Fredlund discloses any sequence of **images** (i.e. a set of items) **unrelated** (i.e. dissimilar) on the basis of time or location can be combined (i.e. accumulated) on a Lenticular card wherein the sequence can be selected and **previewed** (Par. 0051 lines 1-6).

It would have been obvious to one skilled in the art at the time of invention to combine the metadata tags as taught by Johnson with the three dimensional book of Card to efficiently manage data while navigating a group of files or items and further combine the unrelated images as taught by Fredlund to the modified Card to effectively and efficiently select and preview a sequence of items on a display.

**Regarding claim 23**, in addition to claim 22, Card discloses a graphical user interface wherein the axial controller (i.e. slider) causes a transition animation (i.e. animating the transition) between pages when cycling (i.e. navigate) the group of pages (i.e. three dimensional book),(310 Fig. 3A, 3B Drawing, Col. 6 lines 55-63, Col. 14 lines 8 and 9, Col. 10 lines 49-54).



Claims 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Card et al (US Patent No. 7,069,518) ('Card hereinafter) in view of Fredlund et al (US Publication 20030108287 hereinafter, "Fredlund").

**Regarding claim 17**, Card discloses a method to facilitate information previews from a set of items, comprising: selecting a stack (i.e. book) of display items with a first control (i.e. clicking), (Col. 12 lines 18-24); and cycling (i.e. simulating page turning) the stack of display items (i.e. book) with a second control (i.e. holding a mouse button while making a rightward gesture, page flipping, showing a fraction of a page) in order to provide an information preview (i.e. view) with respect to at least one of the items (i.e. page), (Col. 12 lines 18-32, 33-38, 61-63). Card does not explicitly disclose a third control for **gathering dissimilar items** in a set of items to consequently **preview** the items. However, Fredlund discloses any sequence of **images** (i.e. a set of items) unrelated (i.e. dissimilar) on the basis of time or location can be combined (i.e. gathered) on a Lenticular card wherein the sequence can be selected and **previewed** (Par. 0051 lines 1-6).

It would have been obvious to one skilled in the art at the time of invention to combine the unrelated images as taught by Fredlund with the three dimensional book of Card to efficiently allow users to preview a large number of files across a display.

**Regarding claim 18**, in addition to claim 17, Card discloses a method further comprising providing a transitional display (i.e. animation) (Col. 12 lines 61-63) for at

least two display items (i.e. facing page and following page) in accordance with the second control (i.e. showing a fraction of a page), (Col. 13 lines 1-3).

**Regarding claim 19**, in addition to claim 17, Card discloses a method further comprising employing the first control (i.e. clicking) to find an approximate position (i.e. term or page number) in the stack of display items (i.e. book), (Col. 16 lines 28-33, Col. 15 lines 63-67, Col. 16 lines 49-51).

**Regarding claim 20**, in addition to claim 17, Card discloses a method the information preview is associated with at least one of a display configured to be about the same size as the stack, smaller than the stack, and larger than the stack (i.e. the stack, 440 Fig. 5B Drawing).

**Regarding claim 21**, in addition to claim 17, Card discloses a method wherein the first control (i.e. clicking) is associated with a cursor which is controlled by a mouse (Col. 16 lines 28-33, 34-36) and wherein the second control is associated with a wheel of the mouse.

### ***Response to Arguments***

With the amendments made, the U.S.C. § 112 rejections and the objection to the claims are withdrawn.

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure which relate to a determining template icons for document applications.

US Publication 20020171855 discloses automated sharpening of images for soft proofing.

US Publication 20040158495 discloses methods and systems or collaborative whiteboarding and content management.

US Publication 20050066366 discloses a receiving apparatus, method for displaying in conjunction with television program and printing control method.

US Publication 20040044958 discloses systems and methods for inserting a metadata tag in a document.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Parker whose telephone number is 571-270-1302. The examiner can normally be reached on Monday thru Friday 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-270-2302.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BP  
09/05/2007

*Brandon Parker*

Brandon Parker  
Patent Examiner  
Art Unit 2174

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100